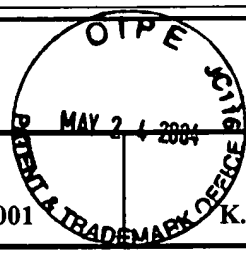


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**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT**  
(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.  
15470ZYXW  
(PC9047D)

In Re Application Of: **David S. Roberts**



Serial No.  
09/758,902

Filing Date  
January 11, 2001

Examiner  
K.S. Shannan Shah

Group Art Unit  
1645

Title: **MULTICOMPONENT CLOSTRIDIAL VACCINE USING SAPONIN ADJUVANTS**

Address to:  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**37 CFR 1.97(b)**

1. ☐ The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.

**37 CFR 1.97(c)**

2. ☒ The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:

☐ the statement specified in 37 CFR 1.97(e);

**OR**

☒ the fee set forth in 37 CFR 1.17(p).

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT**

(Under 37 CFR 1.97(b) or 1.97(e))

Docket No.

15470ZYXW

(PC9047D)

In Re Application: David S. Roberts

MAY 24 2004

Serial No.

09/758,902

Filing Date

January 11, 2001

Examiner

K.S. Shahnan Shah

Group Art Unit

1645

**MULTICOMPONENT CLOSTRIDIAL VACCINE USING SAPONIN ADJUVANTS****Payment of Fee**

(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

- ☒ A check in the amount of **\$180.00** is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. **19-1013/SSMP** as described below.
- ☐ Charge the amount of
- ☒ Credit any overpayment.
- ☒ Charge any additional fee required.

**Certificate of Transmission by Facsimile\***

I certify that this document and authorization to charge deposit account is being facsimile transmitted to the United States Patent and Trademark Office (F:

(Date)

Signature

Typed or Printed Name of Person Signing Certificate

**Certificate of Mailing by First Class Mail**

I certify that this document and fee is being deposited on **May 21, 2004** with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Signature of Person Mailing Correspondence

Peter I. Bernstein

Typed or Printed Name of Person Mailing Certificate

\*This certificate may only be used if paying by deposit account.

Signature

Dated: May 21, 2004

Peter I. Bernstein

Registration No: 43,497

Scully, Scott, Murphy &amp; Presser

400 Garden City Plaza

Garden City, NY 11530

(516) 742-4343

cc:



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Applicant:** David S. Roberts  
**Serial No:** 09/758,902  
**Filed:** January 11, 2001  
**For:** MULTICOMPONENT  
CLOSTRIDIAL VACCINES USING  
SAPONIN ADJUVANTS  
**Examiner:** Khatol S. Shahnan-Shah  
**Art Unit:** 1645  
**Docket:** 15470ZYXW (PC9047D)  
**Dated:** May 21, 2004  
**Confirmation No.:** 1327

Commissioner for Patents  
P. O. Box 1450  
Alexandria, Virginia 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Sir:

In accordance with 37 C.F.R. §§ 1.97 and 1.98, it is requested that the following references, which are also listed on the attached Form PTO-1449, be made of record in the above-identified case.

1. H.S.H. Seifert, et al., "Prevention of Anaerobic Infections in Ruminants in Madagascar by Means of the Intradermal Administration of Ultrafiltered Toxoids Obtained from Local Clostridia", Dtsch. Tierärztl. Wschr., Vol. 90, No. 7, pp. 274-279 (1983) (*Copy of English Translation is Attached*);

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**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, United States Patent and Trademark Office, P. O. Box 1450, Alexandria, VA 22313-1450, on May 21, 2004.

**Dated:** May 21, 2004

  
Peter I. Bernstein

05/26/2004 MAHMED1 00000022 09758902

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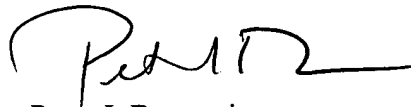
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2. H.S.H. Seifert, et al., "Differentiation of Pathogenic Clostridia from Material Collected in the Field and of Reference Strains by Means of Biostatistical Analysis of the Quantitatively Recorded Metabolic Fatty Acid Patterns of the Agents", Zbl. Bakt. Hyg., Vol. 251, pp. 83-113 (1981) (*Abstract is in English*);
3. S.V. Primal, et al., "The Protective Effect of Vaccination Against Experimental Pneumonia in Cattle with *Haemophilus Somnus* Outer Membrane Antigens and Interference by Lipopolysaccharide", Can. J. Vet. Res., Vol. 54, pp. 326-330, (1990);
4. A.W.D. Lepper, et al., "A *Moraxella Bovis* Pili Vaccine Produced by Recombinant DNA Technology for the Prevention of Infectious Bovine Keratoconjunctivitis", Veterinary Microbiology, Vol. 36, pp. 175-183, (1993); and
5. S. Chandrasekaran, et al., "Evaluation of Combined Pasteurella Vaccines in Control of Sheep Pneumonia", British Veterinary Journal, Vol. 147, No. 5, pp. 437-442, (1991).

Applicant is submitting copies of the above-cited references.

Inasmuch as this Information Disclosure Statement is being submitted in accordance with the schedule set out in 37 C.F.R. § 1.97(c), a check in the amount of \$180.00 is enclosed.

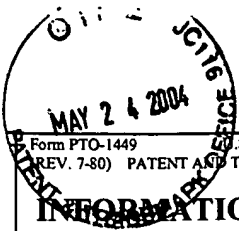
Respectfully submitted,



Peter I. Bernstein  
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Garden City, NY 11530  
Telephone: (516) 742-4343

XZ:ab



Form PTO-1449  
REV. 7-80) PATENT AND TRADEMARK OFFICE

# INFORMATION DISCLOSURE CITATION

(Use several sheets if necessary)

Atty. Docket No. (Optional)

15470ZYXW (PC9047D)

Application Number

09/758,902

Applicant(s)

David S. Roberts

Filing Date

January 11, 2001

Group Art Unit

1645

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL*	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE (if appropriate)
AA						

## FOREIGN PATENT DOCUMENTS

REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

1.	H.S.H. Seifert, et al., "Prevention of Anaerobic Infections in Ruminants in Madagascar by Means of the Intradermal Administration of Ultrafiltered Toxoids Obtained from Local Clostridia", <u>Dtsch. Tierärztl. Wschr.</u> , Vol. 90, No. 7, pp. 274-279 (1983) (Copy of English Translation is Attached)
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4.	A.W.D. Lepper, et al., "A <i>Moraxella Bovis</i> Pili Vaccine Produced by Recombinant DNA Technology for the Prevention of Infectious Bovine Keratoconjunctivitis", <u>Veterinary Microbiology</u> , Vol. 36, pp. 175-183, (1993)
5.	S. Chandrasekaran, et al., "Evaluation of Combined Pasteurella Vaccines in Control of Sheep Pneumonia", <u>British Veterinary Journal</u> , Vol. 147, No. 5, pp. 437-442, (1991)

EXAMINER

DATE CONSIDERED

\* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.